

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as express mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 24, 2005

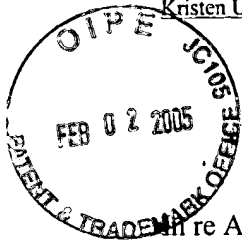
Kristen Ursin-Smith



PATENT

Attorney Docket No. 39228-0018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re Application

PATENT APPLICATION

Inventor(s): David M. Buzawa, *et al.*

Art Unit: 3739

Application No.: 10/688,069

Examiner: Johnson III, Henry M.

Filed: October 17, 2003

Title *Laser Delivery Device Incorporating a
Plurality of Laser Source Optical Fibers*

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, along with a concise explanation of information in a foreign language, if any, except for pending U.S. applications is enclosed or identified with an asterisk as having been previously cited in priority application, pursuant to 37 C.F.R. §1.97-1.98(d).

Applicant respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. The Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)

-- OR --

☐ (2) It is being filed within 3 months of entry of a national stage

-- OR --

☐ (3) It is being filed before the mail date of the first Office Action on the merits

-- OR --

☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

☒ a certification as specified in §1.97(e) is provided below; **or**

☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

A. a certification as specified in §1.97(e) is completed below; and

B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**

C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$ 0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No. 39228-0018).

Respectfully submitted,

HELLER EHRMAN WHITE & MCAULIFFE LLP

Dated: 2/2/05

By: Paul Davis

Paul Davis, Reg. No. 29,294

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CERTIFICATION

(Attachment to Information Disclosure Statement)

- ☒ 37 C.F.R. §1.97(e)(1). **APPLICANT'S UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT** each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement; or
- ☐ 37 C.F.R. §1.97(e)(2). **APPLICANT'S UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT** no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

Respectfully submitted,

Dated: _____

2/2/05

By: _____

Paul Davis, Reg. No. 29,294

**INFORMATION DISCLOSURE
STATEMENT**

PTO-1449

ATTY. DOCKET NO.

39228-0018 US

SERIAL NO.

10/688,069

APPLICANT David M. Buzawa, *et al.*

FILING DATE 10/17/2003

GROUP: 3739

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,254,112	10/19/1993	Sinofsky, <i>et al.</i>			
	4,477,159	10/16/1984	Mizuno, <i>et al.</i>			
	5,300,062	04/05/1994	Ueno			
	5,520,679	05/28/1996	Lin			
	2004/0068254	04/08/2004	Hayashi, <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
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						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.